

致 立法會
食物安全及環境衛生事務委員會
主席及各委員：

關於大嶼山牛隻意見書

本人 梁詔華 (Jean) 居於大嶼山已有 37 年。

六年來為照顧一隻斷了後腳的成年水牛，每日堅持在貝澳濕地逗留三個多小時，從沒有一天間斷。在這期間學習了濕地生態及野牛的生活狀況。結識了一大群熱愛大自然的中外朋友，聯繫了各村的農民，感謝他們送贈農餘作水牛飼料。

好景不常，這些珍貴的濕地；現因人為破壞而大量消失；野生水牛及濕地生態正步入滅絕的境地，政府規劃好的“沿岸保護區”只是紙上談兵，毫無法力，各部門都以私人土地為理由，聲稱無權執法，居民投訴無門怨聲載道，造成現在這個局面。

本人分析原因如下：

(1) 逆權侵佔法

逆權侵佔的時限由 21 年縮減至 12 年，羅屋村有曹姓屠夫的後人，成功獲取大幅農地；老圍村婦人因用逆權侵佔法與五條村村民進行侵佔訴願案，令很多地主恐慌，紛紛聘專家測量，使人工友用棘籬圍地，引至很多水牛為了覓食，強行進入而受傷。

(2) 先行破壞

政府在私人土地劃地保育不作補償，剝奪地權人的利益，那些居心叵測的地方人仕有機可乘，教唆村民在其土地上堆填，挖坑，砍伐樹木，大肆破壞濕地，樹林，令土地變成無生態價值，野生動物，(包括野牛) 成為政府及村民的矛盾磨心。

(3) 灰色地帶

政府一些辦事人及當權人仕，經常洩露投訴人身份及住處，讓投訴人被人責罵排擠，又有些政府辦事人；言談之間指引地方人仕利用政策漏洞及灰白地帶，從而大興土木破壞環境，更濫用村民的福利建設。

(4)投訴無門

一些無辜被人堆填的地權人，投訴無門，政府無意處理投訴，只建議他們向法律代表尋求處理，連政府土地被人堆填佔用，政府都沒有採取行動，當然不會為投訴人主持公道。所以造成大量濕地及草原流失，令已分區生活的公牛逾區覓食造成打鬥。

(5)總結

本人認為大嶼山貝澳水牛的投訴問題，罪不在無辜和善良的水牛，而是有關政府部門沒有妥善處理水牛棲息地的環境，令牠們淪落到今日的絕境。政府部門應從根本解決水牛棲息地問題，而不是拖延塞責，令珍貴的水牛濕地於此時絕跡於貝澳！

本人現提出以下一些提議：

A. 改善政策

在逆權侵佔的司法程序，加強對地權人的保障，讓雙方都得到公平的待遇，這將會大大改善地權人急切圍地的情況，令濕地生態有空間生存。

B. 以地換地

讓保育區的地權人可向政府申請以地換地，既可舒解民怨又可將有價值的濕地回收。

C. 牛隻護理

政府應多撥資源去支持漁護署牛組建立水牛中心；護理受傷牛隻，為年老的雌性水牛絕育，控制生長。(選址請看附圖)

D. 資助保育

政府撥款資助保育團體開發能惠及村民的事務，協助和補償被野牛誤闖耕地的農夫損失。

大嶼山貝澳水牛關注居民代表

梁韶華聯絡電話

電郵：

附件：見議中心位置圖

日期：27/11/2014

English Translation
(for friends who cannot read Chinese)

To
Council, 食物安全及環境衛生事務委員會
The Chairman and the committee members
c/o Legislative Council Secretariat

Re: Matters related to the Lantau Buffaloes and opinion

I, Leung Siu Wah (Jean), live on Lantau for more than 37 years.

For the past 6 years, I have spent much time, daily, 3-hour each day, without interruption, taking care of a wild full grown buffalo with a broken rear leg, in the wet land area in Pui O, Lantau. During this period, I have learnt much about the natural habitats of the wetland, the life style of the wild buffaloes, and also I have made friends of people, local and foreign, of great enthusiastic desire of nature. Also, I have made contacts with local farmers, to whom I show my appreciation and thankfulness to their action of offering feeding material of planation waste to wild buffaloes.

However, the above nice situations are now changed, because the wetlands, as a result of human action of destruction, are now vanishing; the wild lives, wetland habitats and buffaloes, are approaching to situation of vanishing and extinction; the Government original planning “Coastal Protection Area, CPA lands” is just an empty talk, no enforcement power has been exercised, and involved Government Departments rely only on grounds of private land ownership, and hence the Departments claim that they have no statutory power to enforce the Law; complaints launched by residents have ended up with much discontent.

To this, I have the following views:

(1) Adverse Possession

The time limit related to Law of Adverse Possession has been revised with a reduction from 21 years to 12 years; the case of Lo Uk Tsuen butcher Mr. Tso's descendants has been successful with the result of taking over the ownership of other people's land; the case of a

village woman, Lo Wai Village, has entered into legal battles with the existing landowners, creating panic and fear amongst landlords of 5 villages nearby. To private lands, landlords now employ professionals to survey the lands, and workers to put up barbed wiring and sharp-edged metal enclosure; the result is that buffaloes will be hurt when entering for feeding on grass.

(2) Destruction first

Government makes no compensation to owners of private lands for coastal protection use, creating a feeling of private interest being deprived off. Some locals with special interest get hold of or make use of these chances by convincing villagers to carry out dumping, trenching, and tree felling, resulting great destruction to the wetlands, bushes and trees, and hence turning the wetlands into something of no value to natural habitats (including buffaloes). The effect is a creation of misunderstanding and hate between Villagers and the Government.

(3) The Gray Area Zone

Some Government Officers and/or someone with authority frequently reveal the identities and addresses of people who launch complaints who as a result will be blamed for the action. What is more, some Government Officers, in the form of joking or just by normal conversation, direct, give or leak the information to locals with authority by pointing out to them the so-called Gray Area Zone or areas to which Government will not or cannot take action, resulting great destruction to the environment and abusively making use of the advantage of villagers.

(4) Complaint to nowhere

Some landowners, innocent and being abused, with their lands being dumped by others, find no means to launch their complaints effectively; the concerned Government departments, not willing to take up the case, will advise them to seek legal assistance from private law firms. Even to Government owned lands, which have been illegally dumped, Government Departments concerned will hardly take up action; no need to mention dumping on private lands. Consequently, vast pieces of wetlands are lost and vanished; territorial bull-fights amongst themselves for the scarcity of wetlands are often occurred.

(5) To sum up

I am convinced that problems or complaints related to the buffaloes of Pui O should not be blamed solely onto these innocent and kind buffaloes, but also to the misdoing or malfunctioning of Government who has not yet arranged a proper area for the livelihood

of the wild lives, and as a result, they will be led to the situation of extinction. Basically, Government should solve this problem, not just dragging on and on. Otherwise these buffaloes in Pui O wetlands will be vanished.

I now have the following suggestions:

A. Policy Improvement

To the law of Adverse Possession, protection to the existing landlords should be more enforced; both parties can have a fair treatment. This will improve the situation of calming down the panic and fear leading to land enclosure; the wetland habitats can have a better chance to survive.

B. Land Exchange

The landlords of the wetland area can apply to Government for land exchange, and this action can ease the tension of misunderstanding and hate between Government and the People, and also the valuable wetlands can be more protected.

C. Cattle Management & Care

Government should give more support to AFCD to set up a cattle management centre for the injured, the old, and the desexed cattle. (pl. refer to drawing attached for location of the suggested centre)

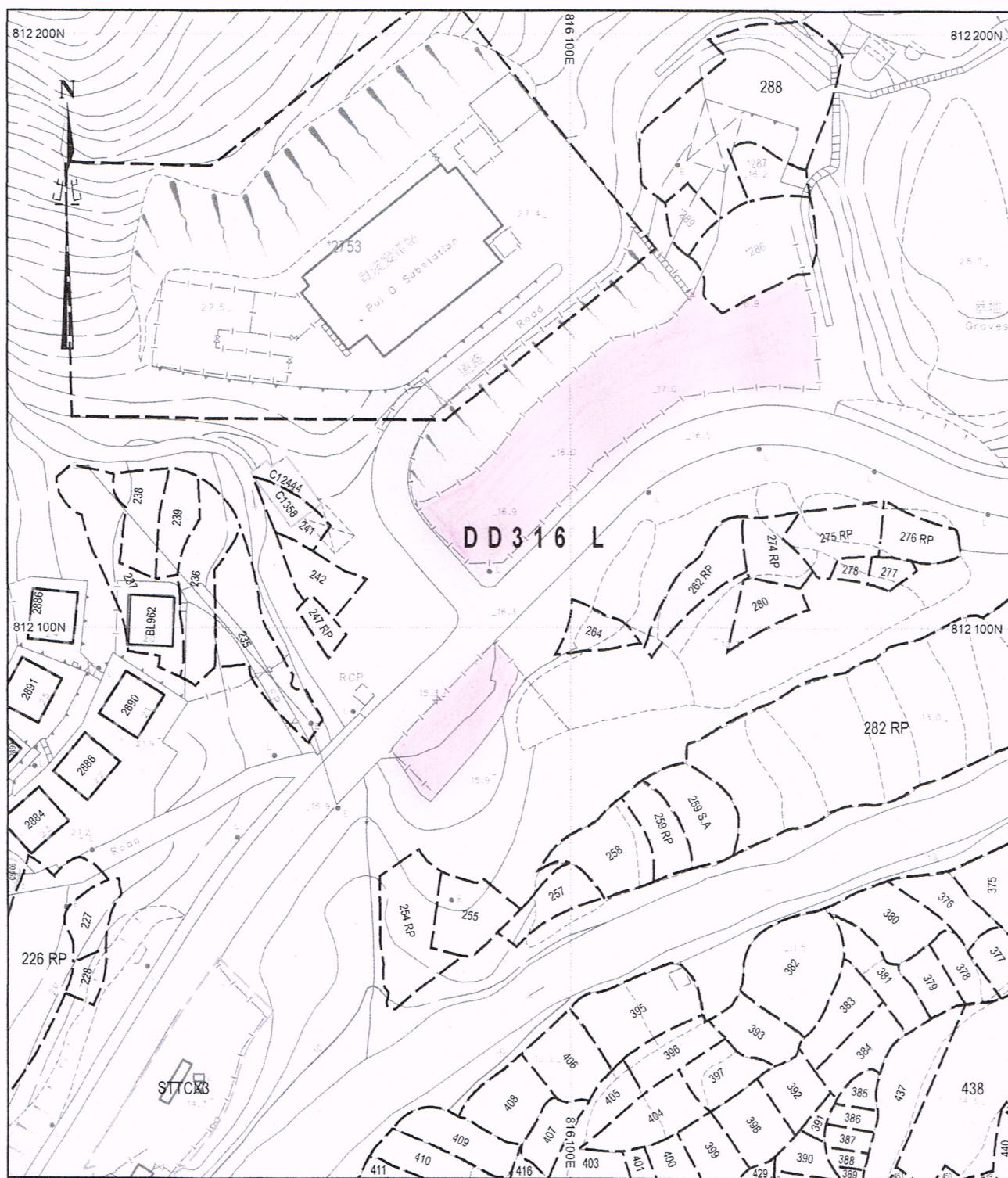
(D) Funding for Protection

Government should support and/or provide funding to the Environmental Groups, to village affairs office, and also helping farmers whose products have been damaged by wild animals.

Jean

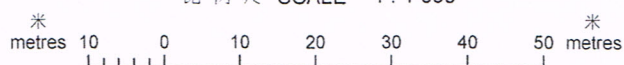
27/11/2014

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000



Locality : LANTAU

Lot Index Plan No. : JS0322112014

District Survey Office : Islands

Date : 28-Nov-2014

Reference No. : 10-SW-21D

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免責聲明

本圖則乃地段索引圖的複本，顯示地段界線的大概位置，包括根據政府撥地、臨時政府撥地、短期租約及政府土地租用牌照而臨時佔用土地的位置。臨時佔用土地的情況可憑藉短期通知出現或終止，因此應向有關的分區地政專員核證。本圖則所示的資料必須透過實地測量予以核實。當有更佳或新的地界證據時，地段索引圖可能會被修訂而無須事先通知。

Disclaimer

This plan is a copy of the lot index plan showing the approximate location of lot boundaries, including the temporary occupation of land under Government Land Allocations, Temporary Government Land Allocations, Short Term Tenancies and Government Land Licences. The temporary occupation of land may be created or terminated at short notice and should be confirmed with the District Lands Officer. The information shown on this plan **MUST** be verified by field survey. The lot index plan may be revised without prior notification as better or new boundary evidence becomes available.